



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB0160

Introduced 1/16/2013, by Rep. JoAnn D. Osmond

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/17-2A

from Ch. 122, par. 17-2A

Amends the School Code. In a Section concerning interfund transfers, extends the time period during which a school district other than the Chicago school district may transfer moneys from specified funds for any purpose from June 30, 2013 to June 30, 2016. Allows the school board of any school district (i) that is subject to the Property Tax Extension Limitation Law, (ii) that has a population of less than 500,000 inhabitants, (iii) that is levying at its maximum tax rate, (iv) whose total equalized assessed valuation has declined 25% in the prior 2 years, and (v) in which 75% or more of its students receive free or reduced-price lunch to annually transfer money from any fund of the district to any other fund of the district by proper resolution following a public hearing set by the school board or the president of the school board, with notice, so long as the district meets the qualifications set forth in this provision at the time a given transfer is made.

LRB098 02682 NHT 32916 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section  
5 17-2A as follows:

6 (105 ILCS 5/17-2A) (from Ch. 122, par. 17-2A)  
7 Sec. 17-2A. Interfund Transfers.

8 (a) The school board of any district having a population of  
9 less than 500,000 inhabitants may, by proper resolution  
10 following a public hearing set by the school board or the  
11 president of the school board (that is preceded (i) by at least  
12 one published notice over the name of the clerk or secretary of  
13 the board, occurring at least 7 days and not more than 30 days  
14 prior to the hearing, in a newspaper of general circulation  
15 within the school district and (ii) by posted notice over the  
16 name of the clerk or secretary of the board, at least 48 hours  
17 before the hearing, at the principal office of the school board  
18 or at the building where the hearing is to be held if a  
19 principal office does not exist, with both notices setting  
20 forth the time, date, place, and subject matter of the  
21 hearing), transfer money from (1) the Educational Fund to the  
22 Operations and Maintenance Fund or the Transportation Fund, (2)  
23 the Operations and Maintenance Fund to the Educational Fund or

1 the Transportation Fund, or (3) the Transportation Fund to the  
2 Educational Fund or the Operations and Maintenance Fund of said  
3 district, provided that, except during the period from July 1,  
4 2003 through June 30, 2016 ~~2013~~, such transfer is made solely  
5 for the purpose of meeting one-time, non-recurring expenses.  
6 Except during the period from July 1, 2003 through June 30,  
7 2016 and except as otherwise provided in subsection (b) of this  
8 Section ~~2013~~, any other permanent interfund transfers  
9 authorized by any provision or judicial interpretation of this  
10 Code for which the transferee fund is not precisely and  
11 specifically set forth in the provision of this Code  
12 authorizing such transfer shall be made to the fund of the  
13 school district most in need of the funds being transferred, as  
14 determined by resolution of the school board.

15 (b) Notwithstanding subsection (a) of this Section or any  
16 other provision of this Code to the contrary, the school board  
17 of any school district (i) that is subject to the Property Tax  
18 Extension Limitation Law, (ii) that has a population of less  
19 than 500,000 inhabitants, (iii) that is levying at its maximum  
20 tax rate, (iv) whose total equalized assessed valuation has  
21 declined 25% in the prior 2 years, and (v) in which 75% or more  
22 of its students receive free or reduced-price lunch may  
23 annually transfer money from any fund of the district to any  
24 other fund of the district by proper resolution following a  
25 public hearing set by the school board or the president of the  
26 school board, with notice as provided in subsection (a) of this

1 Section, so long as the district meets the qualifications set  
2 forth in this subsection (b) at the time a given transfer is  
3 made.

4 (Source: P.A. 95-53, eff. 8-10-07; 96-1201, eff. 7-22-10.)